THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.17763 of 1999

DATE: 06-06-2007

Between :

Kanti Rami Reddy

… Petitioner

And

The Special Collector,
Telugu Ganga Project,
Neelagiri Sangam,
Nellore and another.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 17763 of 1999

ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the representation of the petitioner dated 04-08-1999 whereunder a request was made not to issue draft declaration under Section 6 of the Land Acquisition Act in respect of the petitioner's property situated at Madavaram village of Ontimitta Mandal, Kadapa District.

In response to the notice ordered, a counter affidavit has been filed on behalf of the respondents stating that pursuant to the notification issued under Section 4(1) of the Act, dated 20-02-1981, an enquiry was conducted by the Special Deputy Collector, SSP, Unit IV, Rajampet and it was found that the land acquired by the petitioner herein was sold by his brother Gangi Reddy under different agreements of sale and the land was in possession and enjoyment of 68 persons. Since the brother of the petitioner refused to receive the compensation awarded, the same was kept in deposit. The petitioner herein who had not participated in the proceedings at any point of time filed the present writ petition after long lapse of 18 years from the date of 4(1) notification.

The petitioner has not filed any affidavit in reply contradicting the version of the respondents in their counter affidavit.

Since it is clear from the counter affidavit that an award has already been passed in respect of the property in question, the Mandamus as prayed for cannot be granted.

Accordingly, the writ petition is dismissed. No costs.

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G. ROHINI, J.

Date:06-06-2007
KLP